

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: George E. Barringer, Jr. Stephen C. Phillips and Mark J. Phillips  
Application No.: 10/600,177 Group: 1795  
Filed: June 20, 2003 Examiner: Alexander Stephan Noguerola  
Confirmation No.: 9752

For: METHOD AND APPARATUS FOR OPERATING AN AUTOMATED  
CAPILLARY ELECTROPHORESIS SYSTEM (AS AMENDED)

<b>CERTIFICATE OF MAILING OR TRANSMISSION</b> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
_____	_____
Date	Signature
_____ Typed or printed name of person signing certificate	

**REPLY TO NOTICE OF NON-COMPLIANT APPEAL BRIEF**

Mail Stop Appeal Brief Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the Notice of Non-Compliant Appeal Brief (copy attached) dated October 7, 2009, requesting correction of the "status of all claims" section of the Appeal Brief filed on September 2, 2009, please find a revised Appeal Brief with corrections submitted herewith.

Please note that although the Notice indicated to submit only the section that was found defective, the revisions made reflected a change in the page numbering in the Table of Contents section. Thus, the entire Appeal Brief has been resubmitted.

A copy of the Declaration under 37 C.F.R. § 1.132 by Dr. George Barringer originally filed on May 27, 2009 was filed with the Appeal Brief filed on August 31, 2009. Another copy is not found to be necessary and is not being submitted herewith.

Although it is believed no fees are due, authorization is granted to charge any fees that may be due in this matter to Deposit Account No. 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Mark B. Solomon  
Mark B. Solomon  
Registration No. 44,348  
Telephone: (978) 341-0036  
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Date: 11/2/09